

## TITLE 16. BOARD OF OPTOMETRY

NOTICE IS HEREBY GIVEN that the Board of Optometry (hereafter "Board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments in writing relevant to the action proposed in writing. Written comments, including those sent by mail, facsimile, or e-mail to the address listed under Contact Person in this Notice, must be received by the Board of Optometry not later than 5:00 p.m. on April 23, 2007.

The Board does not intend to hold a hearing in this matter. If any interested party wishes that a hearing be held, he or she must make the request in writing to the Board. The request must be received at the Board office no later than 5:00 p.m. on April 8, 2007.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text with the exception of technical or grammatical changes. The full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 3025, 3044, 3045 and 3057 of the Business and Professions Code, and to implement, interpret or make specific Sections 3044, 3045 and 3057 of said Code, the Board is considering changes to Division 15 of Title 16 of the California Code of Regulations as follows:

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW:

Adopt subsection (h) of section 1523.

On September 18, 2006, Senate Bill 579 was signed into law which allows the Board of Optometry to issue a license to practice optometry to an out of state licensed optometrist who meets the requirements contained in the bill. One such requirement is that the person requesting licensure must do so on an application approved by the Board. This regulation would specify the requisite forms necessary to apply for licensure as an out of state licensed optometrist.

### FISCAL IMPACT ESTIMATES:

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Cost/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

The Board of Optometry has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

**AND**

The following studies/relevant data were relied upon in making the above determination: None

Impact on Jobs/New Businesses:

The Board of Optometry has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The Board of Optometry is not aware of any additional cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

**EFFECT ON SMALL BUSINESS:**

The proposed regulations would not affect small businesses because the regulations only pertain to out of state licensees.

**CONSIDERATION OF ALTERNATIVES:**

The Board of Optometry must determine that no reasonable alternative is considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this notice.

Any interested person may present written statements relevant to the above determinations to the Board of Optometry at the above-mentioned address.

**INITIAL STATEMENT OF REASONS AND INFORMATION:**

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL:

Copies of the exact language of the proposed regulation and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board of Optometry at 2420 Del Paso Road, Suite 255, Sacramento, California 95834, or from the Board of Optometry web-site ([www.optometry.ca.gov](http://www.optometry.ca.gov)).

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE:

All the information upon which the proposed regulation is based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the Web-site listed below.

CONTACT PERSON:

Any inquiries or comments concerning the proposed rulemaking action may be Addressed to:

Name:	Gary Randolph
Address:	2420 Del Paso Road, Suite 255 Sacramento, CA 95834
Telephone Number:	(916) 575-7170
Fax Number:	(916) 575-7292
E-mail Address:	<a href="mailto:gary_randolph@dca.ca.gov">gary_randolph@dca.ca.gov</a>

The backup contact person is:

Name:	Taryn Smith
Address:	2420 Del Paso Road, Suite 255 Sacramento, CA 95834
Telephone Number:	(916) 575-7170
Fax Number:	(916) 575-7292
E-mail Address:	<a href="mailto:taryn_smith@dca.ca.gov">taryn_smith@dca.ca.gov</a>

Web site Access: Materials and information regarding this proposal can be found at [www.optometry.ca.gov](http://www.optometry.ca.gov).